



Title: V-A BAM 530 - Social Media Policy

Policy Tracking#: OGC-19-02

Effective Date: July 8, 2019

Originating Office: Office of the General Counsel, 202-203-4550

(a) **PURPOSE:** This policy establishes a framework for access to and use of social media. This policy shall be modified and/or amended in the future to accommodate additional social media issues.

(b) **AUTHORITY AND SCOPE:**

(1) Authorities.

(i) The United States International Broadcasting Act, [22 U.S.C. § 6201 et seq.](#)

(ii) The United States Information and Educational Exchange Act of 1948, as amended (the “Smith-Mundt Act”), at [22 U.S.C. § 1461 et seq.](#)

(iii) The Hatch Act, [5 U.S.C. § 7321 et seq.](#)

(iv) [5 C.F.R. Part 735](#) – Employee Responsibilities and Conduct

(v) [5 C.F.R. Part 2635](#) – Standards of Ethical Conduct for Employees of the Executive Branch.

(vi) [CEO Policy Memo re: Guidance on Conflicts of Interest](#).¹

(2) Scope. This policy applies to all personnel of the United States Agency for Global Media (hereafter “USAGM” or the “Agency”) and all users of Agency systems, including Civil Service employees, personal services contractors, employees abroad including locally employed staff, and contractors performing duties under their contract with the Agency.

(c) **SOCIAL MEDIA DEFINITION:** Social media consists of a variety of digital technologies that foster interaction among individuals who use those tools. Social media enable individuals to post their own content to Web sites accessible to others; comment on, rate and/or tag content that others have posted; download distributed media files; dynamically develop software applications; interact in simulated learning, gaming and trading environments; engage in online conversations; and observe the interactions of others.

¹ Updated October 2, 2020.

(d) POLICY:

(1) Basic Social Media Policy.

- (i) As a general matter, the Agency encourages the responsible use of social media consistent with current laws, policies, and guidance that govern information and information technology.
- (ii) The Agency notes that while social media have vastly accelerated the speed of communication and greatly broadened audience size, they neither restrict nor expand the existing limitations on speech by Agency personnel. Agency personnel do not surrender their First Amendment rights as a result of their employment; however, the Government may restrict the speech of its personnel when they are not speaking as private citizens on matters of public concern or when the Government's interest in the efficient provision of public services outweighs the interest of its personnel in their speech.

(2) Additional Social Media Considerations for Journalists.

- (i) The Agency is required by law to conduct international broadcasting in accordance with the highest professional standards of broadcast journalism, [22 U.S.C. § 6202\(a\)\(5\)](#). This includes:
 - (A) news which is consistently reliable and authoritative, accurate, objective, and comprehensive, [22 U.S.C. § 6202\(b\)\(1\)](#); and
 - (B) a balanced and comprehensive projection of United States thought and institutions, reflecting the diversity of United States culture and society, [22 U.S.C. § 6202\(b\)\(2\)](#).
- (ii) To effectuate these requirements, Agency journalists, defined as those involved in the gathering, production, editing, translation, presentation, or dissemination of content, must be fair, impartial, and objective in all public spaces, including social media. Accordingly, journalists must avoid action that undermines their objectivity as journalists and/or the credibility of the Agency and its constituent entities as news organizations. For further information, including conflicts of interest examples, see the CEO policy memo regarding [Guidance on Conflicts of Interest](#), dated October 2, 2020.²

² This sentence was updated on October 2, 2020 to reflect the most recent guidance from the USAGM CEO.

(iii) Therefore, in addition to the social media policy set forth in this Broadcasting Administrative Manual, journalists must comply with any and all applicable journalistic standards governing use of and conduct on social media, as set forth by their respective entity's best practices guides or internal professional guidance. Failure to do so may be cause for disciplinary action, up to and including removal from Federal Service or contractual termination, as applicable.

(3) Government-wide Standards of Conduct. All Agency personnel are required to adhere to government-wide standards of conduct that apply to online communications at all times, whether by means of Agency or personal social media accounts. In general, the restrictions on communications by Agency personnel are adapted from statute and the Code of Federal Regulations (C.F.R.). While not exhaustive, the following restrictions apply to all personnel, and violations may be cause for disciplinary action, up to and including removal from Federal Service or contractual termination, as applicable:

(i) Ethical Standards. Agency personnel shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government. ([5 C.F.R. § 735.203](#));

(ii) Misuse of Position. Agency personnel shall not use their public office for private gain, for the endorsement of any product, service, or enterprise, or for the private gain of friends, relatives, or other acquaintances. Agency personnel shall not use or permit the use of their Government position or title or any authority associated with their public office in a manner that is intended to coerce or induce another person to provide any benefit, financial or otherwise, to themselves or to friends, relatives, or persons with whom they are affiliated in a nongovernmental capacity. Subject to limitations set forth in [5 C.F.R. § 2635.702\(b\) and\(c\)](#), Agency personnel shall not use their Government position or title, or Federal or Agency seals or logos, in a manner that could reasonably be construed to imply that the Government endorses or sanctions their personal activities or those of another. ([5 C.F.R. § 2635.702](#));

(iii) Use of Non-Public Information. Agency personnel shall not allow the improper use of non-public information to further their own private interest or that of another, whether by engaging in financial transactions using such information, through advice or recommendation, or by knowing unauthorized disclosure. Non-public information is information that an individual gains by reason of Federal employment and that he or she knows or reasonably should know has not been made available to the general public. ([5 C.F.R. § 2635.703](#));

(iv) Political Activity. Certain restrictions on political activity by certain Agency personnel apply regardless of whether they are on duty or on their personal time. Hatch Act ([5 U.S.C. § 7321 et seq.](#)). For example, no employee may solicit, accept, or receive political contributions, at any time or in any forum. [5 U.S.C. § 7323\(a\)\(2\)](#). Additional information is available in Office of Special Counsel's [Hatch Act Guidance on Social Media](#) and [Hatch Act Social Media Quick Guide](#); and

(v) Discrimination and Harassment. All Agency personnel are responsible for treating fellow employees with basic respect and dignity, and must not harass or discriminate against fellow employees based on race, color, religion, national origin, sex, gender identity, age, disability (physical or mental), genetic information, status as a parent, sexual orientation, marital status, political affiliation, or any other non-merit factor. ([5 U.S.C. §§ 2301- 2302](#)).

(4) Official Use of Social Media.

(i) Agency personnel may access and contribute content (both original entries and responses to entries) on and through social media in their official capacity. Agency personnel are responsible for the content they publish in their official capacity, which must:

(A) abide by the Terms of Service - defined as a contract between social media users and third-party site providers - of the site on which the content is posted;

(B) comply with intellectual property laws;

(C) adhere to host country laws, as applicable and directed by management;

(D) conform to the standards and principles for United States international broadcasting set forth in Sections 303 of the United States International Broadcasting Act, [22 U.S.C. § 6202](#); and

(E) comply with the United States Information and Educational Exchange Act of 1948, as amended (the "Smith-Mundt Act"), [22 U.S.C. § 1461 et seq.](#)

(ii) Agency personnel using social media in their official capacity must comply with:

(A) the Agency policy on safeguarding Personally Identifiable Information (PII), codified in in [Section 200 of Part XI of the Broadcasting Administrative Manual](#);

(B) the Agency policy on information security awareness training and role-based training requirements and responsibilities, codified in in [Section 300 of Part XI of the Broadcasting Administrative Manual](#); and

(C) the [2008 Privacy Breach Notification Policy](#).

(iii) Agency personnel using social media in their official capacity shall also:

(A) refrain from using or permitting Agency computer systems, electronic devices, and social media accounts to be used for other than authorized purposes; and

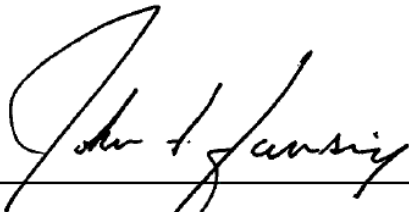
(B) use time allocated to official use of social media in an honest effort to perform official duties.

(iv) Violations of the foregoing policies on official use of social media in paragraphs (d)(4)(i)-(iii) may be cause for disciplinary action, up to and including removal from the Federal Service or contractual termination, as applicable.

(5) Personal Use of Social Media. Posting Journalistic Material - Agency personnel are permitted to link to and embed Agency journalistic material from official, public-facing outlets. However, Agency personnel are prohibited from directly posting Agency journalistic or wire service material to their personal social media accounts, of any length or in any format and including archived and unaired content ("B-roll"). Doing so may violate intellectual property laws, and harms the Agency's ability to grow and maintain audiences through official distribution channels. Violations may constitute grounds for disciplinary action, up to and including termination.

(e) EFFECTIVE DATE AND APPROVAL:

Approved by:

A handwritten signature in black ink, appearing to read "John F. Lansing", is written over a horizontal line.

John F. Lansing
Chief Executive Officer and Director

Effective Date

July 8, 2019
